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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

JASON GEORGE RIVERA,

Defendant,

ON TIME HEATING & AIR CONDITIONING
LLC,

Garnishee.

CASE NO. CR-14-00355-001 RS

**WRIT OF CONTINUING GARNISHMENT
(WAGE GARNISHMENT)**

TO: On Time Heating & Air Conditioning LLC
Attn: Shannon McKinley, Payroll Manager
7020 Commerce Drive, #E
Pleasanton, CA 94588

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WRIT OF CONTINUING GARNISHMENT
Case No: CR-14-00355-001 RS

**YOU ARE HEREBY COMMANDED TO GARNISH FOR THE BENEFIT OF THE
UNITED STATES OF AMERICA PROPERTY IN YOUR POSSESSION IN WHICH THE
DEFENDANT-JUDGMENT DEBTOR HAS A SUBSTANTIAL NONEXEMPT INTEREST.**

The name, last known address, and last four digits of the social security number of the person who is the defendant-judgment debtor ("defendant") in this action and whose property is subject to this Writ are, as follows:

Jason George Rivera
29 Mountain Valley Pl.
Danville, CA 94506

and

Jason George Rivera
696 San Ramon Valley Blvd., #304
Danville, CA 94526

Social Security Number (last four digits): XXX-XX-7500

This Writ has been issued at the request of the United States of America to enforce the collection of a civil judgment entered in favor of the United States against the defendant for a debt in the original amount of \$2,045,507.00. As of March 10, 2023, there is a balance due of approximately \$2,134,803.32 plus interest. The United States is entitled to recover a surcharge of ten percent (10%) of the amount of the balance (\$213,480.33) pursuant to 28 U.S.C. § 3011(a). Thus, the total amount sought by this action is \$2,348,283.65.

The following are the steps that you must take to comply with this Writ. If you have any questions, you should consult with your attorney.

1. Pursuant to 28 U.S.C. § 3205(c)(2)(F), if you have in your custody, control, or possession any property of the defendant (including nonexempt disposable earnings from his wages, salary, commissions or bonuses) in which the defendant has a substantial nonexempt interest, or if you obtain custody, control, or possession of such property while this Writ is in effect, you must immediately withhold such property from the defendant and retain it in your possession until you receive instructions from the Court which will tell you what to do with the property. With respect to the defendant's wages,

1 salary, commissions or bonuses; you must withhold twenty-five percent (25%) of such amount(s) after
2 all deductions required by law have been withheld. See 28 U.S.C. §§ 3205(a) and 3002(9).

3 2. Pursuant to 28 U.S.C. § 3205(c)(2)(E), you are required to answer this Writ within **10**
4 **days** after service of this Writ upon you. You must answer the Writ even if you do not have in your
5 custody, control, or possession, any property of the defendant. Pursuant to 28 U.S.C. § 3205(c)(4), your
6 answer must state, under oath, the following information:

- 7 a. Whether or not you have in your custody, control, or possession, any property
8 owned by the defendant in which the defendant has a substantial nonexempt
9 interest, including nonexempt disposable earnings;
- 10 b. a description of such property and the value of such property;
- 11 c. a description of any previous garnishments to which such property is subject and
12 the extent to which any remaining property is not exempt; and
- 13 d. the amount of the debt you anticipate owing to the defendant in the future and
14 whether the period for payment will be weekly or another specified period.

15 For your convenience, a form which addresses the above-requested information is attached and
16 may be used to answer the Writ.

17 3. After you complete the answer under oath, pursuant to 28 U.S.C. § 3205(c)(2)(E) and
18 (c)(4), **within ten (10)** days after service of this Writ upon you, you must **mail or deliver** the original
19 answer bearing the original signature of the person preparing the answer to the Court at the following
20 address:

21 Clerk, United States District Court
22 450 Golden Gate Avenue, Box 36060
San Francisco, CA 94102

23 At the same time you mail or deliver the original answer to the Court, you must also **mail or**
24 **deliver** a copy of the original answer to both the defendant and attorney for the United States at the
25 following respective addresses:

26 Jason George Rivera
27 29 Mountain Valley Pl.
Danville, CA 94506

28 and

Jason George Rivera
696 San Ramon Valley Blvd., #304
Danville, CA 94526

Shining J. Hsu
Assistant U.S. Attorney
450 Golden Gate Avenue, 9th Floor
P.O. Box 36055
San Francisco, CA 94102

Please note that the attached answer form contains a **certificate of service** which needs to be completed by the person mailing the copies of the answer to the defendant and the attorney for the United States, and which needs to be filed with the Court along with the answer.

IF YOU FAIL TO ANSWER THIS WRIT OR FAIL TO WITHHOLD PROPERTY IN ACCORDANCE WITH THIS WRIT, THE UNITED STATES MAY PETITION THE COURT FOR AN ORDER REQUIRING YOU TO APPEAR BEFORE THE COURT TO ANSWER THE WRIT AND TO WITHHOLD PROPERTY IN ACCORDANCE WITH THE WRIT BEFORE THE APPEARANCE DATE. IF YOU FAIL TO APPEAR OR DO APPEAR AND FAIL TO SHOW GOOD CAUSE WHY YOU FAILED TO COMPLY WITH THIS WRIT, THE COURT WILL ENTER A JUDGMENT AGAINST YOU FOR THE VALUE OF THE DEFENDANT'S NONEXEMPT INTEREST IN SUCH PROPERTY (INCLUDING NONEXEMPT DISPOSABLE EARNINGS). THE COURT MAY ALSO AWARD A REASONABLE ATTORNEY'S FEE TO THE UNITED STATES AND AGAINST YOU IF THE WRIT IS NOT ANSWERED WITHIN THE TIME SPECIFIED HEREIN AND IF THE UNITED STATES FILES A PETITION REQUIRING YOU TO APPEAR.

MARK B. BUSBY,
Clerk of Court
United States District Court
for the Northern District of California

Dated: 03/13/2023

By: 
Deputy Clerk